

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 6480

IN THE MATTER OF:

Served January 7, 2002

Investigation of Unauthorized)
Operations of WASHINGTON EXECUTIVE)
SEDAN, INC., and GLOBAL EXPRESS)
LIMOUSINE SERVICE, INC.)

Case No. MP-2002-03

On July 25, 2001, the Commission received insurance certificates in the name of Washington Executive Sedan, Inc. Inquiries by Commission staff revealed that the insured had recently acquired a minibus, that the insured's owner was a Mr. Shah, and that the insured also did business under the name "Global Express Limousine."

Staff subsequently met with representatives of Washington Executive Sedan, Inc., on August 2, 2001, to discuss the Commission's jurisdiction and review a draft application for WMATC operating authority. The representatives' business cards displayed the name "Global Express Limousine" and carried the same address as that on the insurance certificates for Washington Executive Sedan.

On October 25, 2001, having not received an application in the name of Washington Executive Sedan, Inc., or Global Express Limousine, staff wrote to Washington Executive Sedan advising the company to apply for WMATC operating authority, or offer proof it had disposed of the minibus, on or before November 7, 2001. The Commission has yet to receive any response.

Records obtained by the Commission from the Business Services and Finance Division of the Maryland State Department of Assessments and Taxation show that Washington Executive Sedan, Inc., and Global Express Limousine Service, Inc., are two separate corporations with the same address.

The web site for Global Express Limousine, www.globalexpresslimo.com, describes the corporate relationship as follows: "Global Express Limousine has been providing transportation services in the Washington metropolitan area, as Washington Executive Sedan, since 1993. We have, however, recently changed our name to Global Express Limousine Service."

The web site also explains: "We offer a complete range of livery services. Our fleet includes not only executive sedans, but also stretch limousines, executive vans, and buses. We are available for local trips."

The web site lists flat fares for trips between Dulles Airport, Reagan National Airport, Union Station, and "Embassy Row," on the one hand, and various points in the Metropolitan District, on the other. Hourly rates are displayed for trips in luxury sedans, vans (7 & 14

passengers), stretch limousines (6, 8 & 10 passengers), and buses (28 & 55 passengers).

The Washington Metropolitan Area Transit Regulation Compact states that a carrier may not transport passengers for hire between points in the Washington Metropolitan Area Transit District (Metropolitan District) without a WMATC certificate of authority.¹ There is an exception for vehicles seating nine persons or less, including the driver,² but not for those used in fixed fare operations.³

The Commission may investigate a carrier to determine whether that carrier has violated the Compact.⁴ The Commission may require the production of books, papers, correspondence, memoranda, contracts, agreements, or other records or evidence which the Commission considers relevant to the inquiry.⁵ A carrier that knowingly and willfully violates a provision of the Compact is subject to a civil forfeiture of not more than \$1,000 for the first violation and not more than \$5,000 for any subsequent violation; each day of the violation constitutes a separate violation.⁶

The Commission will initiate an investigation to determine whether Washington Executive Sedan, Inc., and Global Express Limousine Service, Inc., have violated the Compact.

THEREFORE, IT IS ORDERED:

1. That Washington Executive Sedan, Inc., and Global Express Limousine Service, Inc., are hereby named respondents to this proceeding.

2. That an investigation of respondents' operations in the Metropolitan District is hereby initiated under Article XIII, Section 1, of the Compact.

3. That respondents shall have thirty days from the date of this order to produce any and all records in their possession, custody or control relating to their operations in the Metropolitan District since August 2, 2001.

4. That respondents shall not transport passengers for hire between points in the Metropolitan District in vehicles seating more than nine persons, including the driver.

¹ Compact, tit. II, art. XI, §§ 1, 6(a).

² Compact, tit. II, art. XI, §§ 1(b), 3(f).

³ See Commission Regulation No. 51-09(c) (rates for nine and under must be based on distance or duration); In re Q. Oluokun, Inc., t/a Montgomery County Limo, No. MP-93-43, Order No. 4225 (Dec. 16, 1993) (flat fares do not meet the distance or duration requirement in Reg. No. 51-09).

⁴ Compact, tit. II, art. XIII, § 1(c).

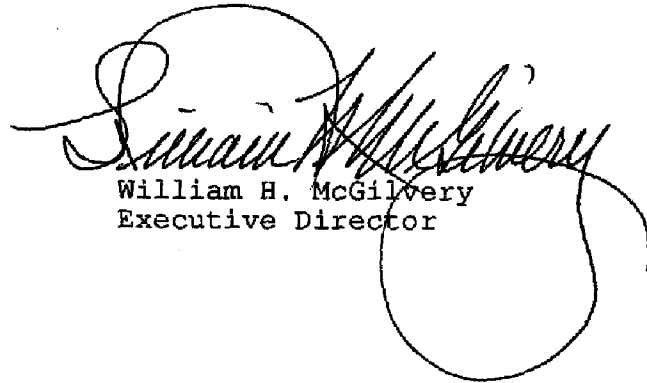
⁵ Compact, tit. II, art. XIII, § 1(e).

⁶ Compact, tit. II, art. XIII, § 6(f).

5. That respondents shall not transport passengers for hire between points in the Metropolitan District in vehicles seating less than ten persons, including the driver, at other than hourly and/or mileage rates.

6. That respondents may file within 15 days from the date of this order a request for oral hearing, specifying the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES, LIGON, AND MILLER:



William H. McGilvery
Executive Director